

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CURTIS LI PRUSSICK,
named as Sealed Plaintiff or John
Doe Plaintiff,

Plaintiff,

ORDER
23-CV-8408 (EK) (ST)

-against-

PATRICK McDERMOTT, Riverhead Town
Police Officer; STEVEN GANG,
Suffolk County Police Officer;
MICHAEL MAFFEI, Assistant United
States Attorney; DEREK ACHLER; JOAN
M. AZRACK, and "More Defendants,"

Defendants.

ERIC KOMITEE, United States District Judge:

Plaintiff Curtis Li Prussick, who is incarcerated at the Gilmer Federal Correctional Institution in Glenville, West Virginia, commenced this *pro se* action alleging civil rights claims related to his criminal prosecution in this Court under Docket Number 20-cr-48. (ECF Dkt. # 1.) Plaintiff's submission included an application to proceed *in forma pauperis*, but it did not include the Prisoner Authorization form required by the Prison Litigation Reform Act ("PLRA"). (ECF Dkt. # 2.) By letter dated November 15, 2023, plaintiff was provided with the PLRA form and was instructed that in order to proceed, he must return the completed form within 14 days from the date of the letter. (ECF Dkt. # 3.)

More than 14 days have elapsed and the Court has not received the PLRA form from plaintiff. Plaintiff did submit a letter to the Court in which he requested that "his name be filed under sealed Plaintiff or John Doe Plaintiff" and that "the Court file this document under Sealed." (ECF Dkt. # 5 at 1.) The Court denied the request on December 4, 2023 and directed that Plaintiff provide the basis for his request to seal.

The PLRA requires incarcerated individuals who are granted IFP status to pay the full filing fee of \$350 out of their prisoner trust accounts. The Prisoner Authorization form permits the facility to deduct the filing fee from the litigant's account, in installments. Without a signed Prisoner Authorization form, a case brought by an incarcerated litigant seeking IFP status cannot advance. *See Holloway v. City of New York*, No. 20-CV-4929, 2020 WL 7698939, at *1 (E.D.N.Y. Dec. 28, 2020). Accordingly, if he wishes to proceed with this lawsuit, plaintiff is directed to return the completed PLRA form within 30 days of the date of this Order. If the Court does not receive the PLRA form within 45 days, the action will be dismissed.

If plaintiff fails to comply with this order and submit the PLRA form within 45 days from the date of this Order, the action will be dismissed without prejudice. No extension shall be granted without good cause shown.

The Clerk of Court is directed to mail to plaintiff a copy of this Order, along with a prisoner authorization form. No response from defendants to this action is required at this time.

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: December 18, 2023
Brooklyn, New York